

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 5-7, 10, 12-19, and 51-56 are presently active in this case.

Claims 1, 5-7, 10, 12-19, and 51-56 were indicated as being allowed.

Paragraphs 50, 68, 98, and 117 of the specification were objected to for minor informalities. These paragraphs of the specification have been amended as suggested by the Examiner on page 2 of the outstanding Official Action.

Page 2 of the Official Action indicated that the specification must include a cross-reference to the parent case under the continuing data portion thereof. The Applicants traverse this assertion. The Applicants note that an Application Data Sheet was submitted on November 25, 2003, which included the relevant data for the parent application. Furthermore, the Applicants note that 37 CFR §§1.76(b)(5) and 1.77(b)(2) indicate that the submission of this information in an application data sheet satisfies the requirement regarding the cross-reference to related applications. More specifically, 37 CFR §1.76(b)(5) states with regard to the filing of an application data sheet:

(5) Domestic priority information. This information includes the application number, the filing date, the status (including patent number if available), and relationship of each application for which a benefit is claimed under 35 U.S.C. 119(e), 120, 121, or 365(c). **Providing this information in the application data sheet constitutes the specific reference required by 35 U.S.C. 119(e) or 120, and § 1.78(a)(2) or § 1.78(a)(4), and need not otherwise be made part of the specification.** (Emphasis added.)

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Furthermore, 37 CFR §1.77(b)(2) states that:

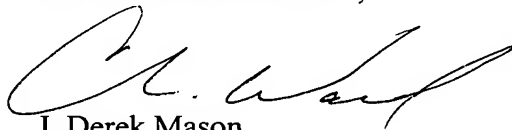
The specification should include the following sections in order: ... (2) Cross-reference to related applications (**unless included in the application data sheet**).... (Emphasis added.)

Accordingly, the Applicants submit that the specification need not be amended to include a cross-reference to the parent case under the continuing data portion thereof, since an application data sheet containing such information has been properly submitted.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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